EXHIBIT	3						
DATE_	1-22-2009						
HB	HB 191						

Dog Attack Deaths and Maimings, U.S. & Canada September 1982 to November 7, 2007

Reports are logged as received, and the current log is printed out as requested. Compiled by the editor of ANIMAL PEOPLE from press accounts since 1982, this table covers only attacks by dogs of clearly identified breed type or ancestry, as designated by animal control officers or others with evident expertise, who have been kept as pets. Due to the exclusion of dogs whose breed type may be uncertain, this is by no means a complete list of fatal and otherwise serious dog attacks. Attacks by police dogs, guard dogs, and dogs trained specifically to fight are also excluded. "Attacks doing bodily harm" includes all fatalities, maimings, and other injuries requiring extensive hospital treatment. "Maimings" includes permanent disfigurement or loss of a limb. Where there is an asterisk (*), please see footnotes. If there are more "attacks" than "victims," it means that there were multiple dogs involved in some attacks. If the numbers of "victims" does not equal the numbers of "deaths" and "maimings," it means that some of the victims -- in attacks in which some people were killed or maimed -- were not killed or maimed.

Note: to ensure that the columns are aligned properly, please print this table from e-mail using a non-proportional font, such as Courier or Roman Fixed Width.

	Attacks of	•	d Adul	t Deat	hs Maimi	ings Notes
Breed	[dogs X v	victims] [Individ	uals]
Akita	48	32	14	1	39	
Akita mix (inspecific)	2	2	0	0	2	
Akita/Chow mix	3	3	0	0	3	
Akita/Lab mix	1	. 1	0	0	1	
Akita/terrier mix	2	1	0	0	1	
Airedale/boxer	1	. 1	0	1	0	#
Airedale	1	. 1	0	1	0	
American bulldog (not	pit) 5	Ø	2	2	0	#
Australian blue heeler	8	2	1	0	3	
Australian cattle dog	1	. 1	0	0	1	
Australian shepherd	7	5	0	0	2	
Basset/GSD mix	1	. 1	0	1	0	
Basset/beagle mix	1	. 1	0	0	1	
Beagle	2	. 2	0	1	1	#
Belgian shepherd	5	2	3	0	2	
Blue heeler	2	. 0	1	0	1	
Border collie	1	. 0	1	1	1	#
Briard	2	. 0	1	1	0	
Brittany spaniel	4	. 1	0	0	1	
Bulldog (American	4	. 0	3	2	2	
Bulldog (English)	16	8	3	1	9	
Bull mastiff (Presa Ca	nario) 33	10	15	7	17	
Bull mastiff/German sh	epherd 2	. 1	0	1	0	
Buff mastiff/Rottweile	r 1	. 1	0	0	1	
Bull mastiff/Boxer	1	. 1	0	1	0	
Boxer	33	7	13	2	14	#
Boxer mix	2	. 2	0	1	1	

		_	_	4	2		
Cane Corso	4	1	2	1	3		
Catahoula	3	0	1	0	1		
Catahoula/pit bull mix	1	0	1	1	0		
Chow	51	34	14	6	34		
Chow/German shepherd	1	0	1	0	1		
Chow/husky mix	2	2	0	1	1		
Chow/Labrador mix	4	4	0	0	3		
Chox mix (other)	2	2	0	0	2		
Cocker spaniel	1	1	0	0	1		
Collie	3	3	0	0	3		
Collie/retriever mix	1	1	0	0	1		
Coonhound	1	1	0	0	0		
Dalmatian	3	3	0	0	3		
Dalmatian/Akita mix	1	1	0	0	1		
Dauschund	3	2	1	1	3	#	
Doberman	11	7	4	3	7	#	
Dogo Argentino	1	1	0	0	1		
Doge de Bordeaux	2	1	0	0	1		
East Highland terrier	1	0	1	1	0	#	
Fila Brasiero	1	1	0	0	1		
German shepherd	70	45	19	9	42		
German shepherd mix	33	23	7	7	20	#	
German shepherd/husky mix	4	3	1	1	2	"	
German shepherd/Lab mix	2	9	1	0	1		
Golden retriever	7	6	1	2	4	#	
				2	10	Ħ	
Great Dane	25	5	5				
Great Pyranees	1	0	1	1	0		
Greyhound	1	1	0	0	1		
Husky	41	24	4	14	8		
Husky/Malamute mix	2	2	0	0	2		
Husky/Labrador mix	1	0	1	0	1	и	
Jack Russell terrier	2	1	1	1	0	#	
Labrador	29	19	11	2	23	#	
Labrador mix	10	9	1	0	9	#	
Labrador/boxer mix	1	0	1	0	0		
Lab-Doberman	1	1	0	0	1		
Lab-St. Bernard	1	1	0	0	1		
Malamute	8	7	1	3	3		
Maremma	1	0	1	0	1		
Mastiff	18	12	4	4	11		
Norwegian elkhound	1	0	1	0		#	
Pit bull terrier	1194	528	424	116	654	#	
Pit bull boxer mix	6		3	Ø ·	3		
Pit bull/chow mix	5	2	3	1	3		
Pit bull/Doberman/GSD/Lab	2	2	0	0	2		
Pit bull/GSD mix	1	1	0	0	1		
Pit bull/Lab mix	15	10	4	3	8	#	
Pit bull/Rott. mix	39	7	3	2	8		
Pit bull/Sheltie mix	1	1	0	0	1		
Pit bull/Weimaraner mix	1	0	1	0	1		
Pit mix unknown	3	2	0	0	2		
Pointer mix	1	0	1	0	0	#	
Pomeranian	1	1	0	1	0		
Poodle	2	1	1	0	2	#	

Pug	1	1	0	0	1		
Pug/Rottweiler mix	2	1	0	1	0		
Queensland heeler	3	0	1	0	1		
Rottweiler	427	243	113	63	232	#	
Rottweiler/chow mix	1	1	0	0	1		
Rottweiler/GSD mix	14	8	5	3	10		
Rottweiler/Labrador	7	6	1	0	7		
Russian terrier	1	0	1	0	1		
Saint Bernard	6	3	0	1	1		
Sharpei	4	4	0	0	4		
Sharpei/Rottweiler	2	1	0	0	1		
Sharpei/unknown mix	1	1	0	0	1		
Sharpei/Labrador	1	1	0	0	1		
Springer spaniel	3	4	0	0	4		
Tosa	1	1	0	0	1		
Weimaeaner	1	1	0	0	1		
Wheaten terrier	2	1	0	0	1		
Wolf hybrid	79	65	4	19	43	#	
Total:	2363	1203	707	293	1389		
Pit bulls, Rottweilers, Presa Canarios, and their mixes:							
	1751	823	574	195	953		
	73%	67%	82%	66%	72%		
Pit, Rott, Wolf hybrid :							
	1696	838	545	199	931		
	77%	73%	83%	70%	77%		

Notes

Airedale/boxer: The only listed attack was by 10 dogs at once.

American bulldog: Described as resembling an "English bulldog on stilts" by Livingston County (Michigan) animal control director Anne Burns, the five dogs involved in two fatal attacks on September 13, 2007 did not appear to match either the usual description of a pit bull terrier or the AKC-defined "American bull dog."

Beagle: The fatality was a strangulation caused by tugging on a leash, which was around a child's neck.

Border collie: Involved in 4-dog attack. The other dogs were two American bull dogs and a mastiff.

Boxer: Fatal attack on 3-week-old infant also involved a Rottweiler.

Dauschund: Julia Beck, 87, of Fort Wayne, died 5/15/05, two weeks after attack by Dauschund & Lab at home she shared with Michael T. Kitchen, 48, and Linda A. Kitchen, 57.

Doberman: One miniature pinscher apparently joined two pit bull terriers in attacking a child.

East Highland terrier: Victim, age 75, died of heart attack.

German shepherd mix: One fatality victim, age 83, was apparently killed by an overly rowdy greeting. The victim was knocked down and suffered multiple broken bones, but was not bitten. The dog had bitten a person on a previous occasion. In that case, the skin was not broken. Another 83-year-old victim was killed by either a German shepherd/Labrador mix or a pit bull terrier, but it was not clear whether both dogs attacked her, or just one of them. An 18-day-old child was killed in an attack also involving a pit bull terrier/golden Lab mix.

Golden retriever: One dog responsible for an attack was rabid. Another accidentally strangled Kaitlyn Hassard, 6, of Manorville, Long Island, on 1/24/06, by tugging at her scarf.

Jack Russell terrier: Patricia Schneider, 50, of Discovery Bay, Calif., whose spleen had been removed, died in 2/98 of infection, 3 days after receiving infected bite on lip at home of Diane Gardner and Elaine Goodney.

Labrador: Adult victim was attacked in her home by as many as 23 dogs owned by daughter. The Lab who severely mauled Jasmine Charboneau, 2, on 7/29/04 in Devils Lake, ND, proved to be rabid. Labrador mix: Reports varied as to whether one case was severe enough to include.

Mastiff: One mastiff attack also involved an attacking pit bull terrier.

Pit bull terrier: One case involved a dog who assisted in a killing carried out by a human. Another case was a 6-year-old girl who was caught and strangled by a pit bull's chain. An 83-year-old victim was killed by either a German shepherd/Labrador mix or a pit bull terrier, but it was not clear whether both dogs attacked her, or just one of them. One case involved a woman who was apparently killed by two pit bulls and one Rottweiler. Rashawn Thompson, 18, was mauled on 4/25/07 by 13 dogs, including one pit bull and 12 of unidentifiable mix.

Pit bull/golden Lab mix: One child was killed in an attack also involving a German shepherd mix. Pointer mix: Was involved in attack on Iran Menses, 66, of Los Angeles, on 5/28/00, along with two pit bull terriers, but apparently did not inflict any of Menses' injuries.

Poodle: Very strange case involved prescription drug use possibly affecting dog as well as victim. Rottweiler: Jonathon Chandler, 6 months, of Lancaster, Ohio, was reportedly crushed in bed by the family Rottweiler. Four other children, ages 2-11, were removed from home of Shelly Fisher; case was

investigated as possible negligent homicide. Another case involved a woman who was apparently killed by two pit bulls and one Rottweiler. Joe Mortensen, 22, of Dix Hills, N.Y., was mauled by two Rottweilers belonging to James Mazzone, 44, in June 2007, when the Rottweilers allegedly attacked his pit bull mix.

Wolf hybrid: One adult victim was a small woman who was defending two children. The other was a small woman, 61, who was apparently defending her dog. In that instance, the wolf hybrid was identified as being a wolf hybrid/German shepherd cross, with the German shepherd configuration dominant. Some experts are skeptical that the animal had any wolf ancestry at all.

Analysis

The tallies of attacks, attacks on children, attacks on adults, fatalities, and maimings on the above data sheet must be evaluated in three different contexts. The first pertains to breed-specific characteristic behavior, the second to bite frequency as opposed to the frequency of severe injuries. and the third to degree of relative risk.

Of the breeds most often involved in incidents of sufficient severity to be listed, pit bull terriers are noteworthy for attacking adults almost as frequently as children. This is a very rare pattern: children are normally at greatest risk from dogbite because they play with dogs more often, have less experience in reading dog behavior, are more likely to engage in activity that alarms or stimulates a dog, and are less able to defend themselves when a dog becomes aggressive. Pit bulls seem to differ behaviorally from other dogs in having far less inhibition about attacking people who are larger than they are. They are also notorious for attacking seemingly without warning, a tendency exacerbated by the custom of docking pit bulls' tails so that warning signals are not easily recognized. Thus the adult victim of a pit bull attack may have had little or no opportunity to read the warning signals that would avert an attack from any other dog.

Rottweilers by contrast show a fairly normal child/adult attack ratio. They seem to show up disproportionately often in the mauling, killing, and maiming statistics simply because they are both quite popular and very powerful, capable of doing a great deal of damage in cases where bites by other breeds might be relatively harmless.

Wolf hybrids, German shepherds, and huskies are at the extreme opposite end of the scale, almost never inflicting severe injury on adults—but it would be a huge mistake to assume that these seemingly similar patterns reflect similar behavior. They do not. In fact, German shepherds and German shepherd mixes in which the German shepherd line predominates together amount to 16% of the entire U.S. and Canadian dog population, according to the data we have on breed-specific

licensing, or just about nine million total dogs. There are by contrast only about 300,000 recognized wolf hybrids: about one for every 30 German shepherds. Relative to their overall numbers, wolf hybrids are accordingly 60 times more likely to kill or maim a child than a German shepherd--and that is before even beginning to consider the critical behavioral distinctions.

German shepherds are herding dogs, bred for generations to guide and protect sheep. In modern society, they are among the dogs of choice for families with small children, because of their extremely strong protective instinct. They have three distinctively different kinds of bite: the guiding nip, which is gentle and does not break the skin; the grab-and-drag, to pull a puppy or lamb or child away from danger, which is as gentle as emergency circumstances allow; and the reactive bite, usually in defense of territory, a child, or someone else the dog is inclined to guard. The reactive bite usually comes only after many warning barks, growls, and other exhibitions intended to avert a conflict. When it does come, it is typically accompanied by a frontal leap for the wrist or throat.

Because German shepherds often use the guiding nip and the grab-and-drag with children, who sometimes misread the dogs' intentions and pull away in panic, they are involved in biting incidents at almost twice the rate that their numbers alone would predict: approximately 28% of all bite cases, according to a recent five-year compilation of Minneapolis animal control data. Yet none of the Minneapolis bites by German shepherds involved a serious injury: hurting someone is almost never the dogs' intent.

In the German shepherd mauling, killing, and maiming cases I have recorded, there have almost always been circumstances of duress: the dog was deranged from being kept alone on a chain for prolonged periods without human contract, was starving, was otherwise severely abused, was protecting puppies, or was part of a pack including other dangerous dogs. None of the German shepherd attacks have involved predatory behavior on the part of an otherwise healthy dog.

Every one of the wolf hybrid attacks, however, seems to have been predatory. Only four of the fatality victims were older than age seven, and all three were of small stature. The first adult fatality was killed in the presence of her two young sons, whom she was apparently trying to protect. The second was killed while apparently trying to protect her dog. Most of the victims were killed very quickly. Some never knew the wolf hybrid was present. Some may never have known what hit them. Some were killed right in front of parents, who had no time to react.

Unlike German shepherds, wolf hybrids are usually kept well apart from children, and from any people other than their owners. Yet they have still found more opportunity to kill and maim than members of any other breeds except pit bull terriers and Rottweilers, each of whom may outnumber wolf hybrids by about 10 to 1.

Huskies appear to be a special case, in that even though they are common in the U.S., the life-threatening attacks involving them have virtually all occured in Alaska, the Northwest Territories, the Yukon, Labrador, and the northernmost parts of Quebec. In these regions, huskies are frequently kept in packs, in semi-natural conditions, and in some cases are even allowed to spend summers without regular human supervision. Thus many of the husky attack cases might be viewed more as attacks by feral animals, even though they technically qualified for this log because they were identified as owned and trained animals, who were supposed to know that they were not to attack.

Akitas, Malamutes, and Samoyeds have a similar attack pattern, but while these are also "northern breeds" commonly used to pull sleds, most of the attacks by Akitas, Malamutes, and Samoyeds have occurred in ordinary home situations. Cumulatively, the northern breeds appear to have an attack pattern resembling that of wolf hybrids more than that of most other dogs--which might merely point toward the numbers of wolf hybrids who are illegally kept under the pretense that they are various of the northern breeds.

What all this may mean relative to legislation is problematic. Historically, breed-specific legislation has proved very difficult to enforce because of the problems inherent in defining animals for whom there may be no breed standards, or conflicting standards. Both pit bull terriers and wolf hybrids tend to elude easy legal definition; neither can they be recognized by genetic testing.

The traditional approach to dangerous dog legislation is to allow "one free bite," at which point the owner is warned. On second bite, the dog is killed. The traditional approach, however, patently does not apply in addressing the threats from pit bull terriers, Rottweilers, and wolf hybrids. In more than two-thirds of the cases I have logged, the life-threatening or fatal attack was apparently the first known dangerous behavior by the animal in question. Children and elderly people were almost always the victims.

Truthfully speaking, I do not know how an effective, fair, enforceable, humane dangerous dog law could be constructed. Any law strong enough and directed enough to prevent the majority of lifethreatening dog attacks must discriminate heavily against pit bulls, Rottweilers, wolf hybrids, and perhaps Akitas and chows, who are not common breeds but do seem to be involved in disproportionate numbers of life-threatening attacks. Such discrimination will never be popular with the owners of these breeds, especially those who believe their dogs are neither dangerous nor likely to turn dangerous without strong provocation. Neither will breed discrimination ever be acceptable to those who hold out for an interpretation of animal rights philosophy which holds that all breeds are created equal. One might hope that educating the public against the acquisition of dangerous dogs would help; but the very traits that make certain breeds dangerous also appeal to a certain class of dog owner. Thus publicizing their potentially hazardous nature has tended to increase these breeds' popularity.

Meanwhile, because the humane community has demonstrated a profound unwillingness to recognize, accept, and respond to the need for some sort of strong breed-specific regulation to deal with pit bulls and Rottweilers, the insurance industry is doing the regulating instead, by means which include refusing to insure new shelters which accept and place pit bulls. That means a mandatory death sentence for most pit bulls, regardless of why they come to shelters.

This is not a problem for older shelters, which have long established insurer relationships, but it is a hell of a problem for organizations without long histories of successful and mostly accident-free adoption, predating the present abundance of pit bulls and Rottweilers in the shelter dog population.

Individual dog owners are also getting clobbered, either with liability premiums so high that no one can afford to keep pit bulls or Rottweilers, or by inability to find an insurer willing to cover anyone who has such a dog--or any other dog breed with a bad reputation, whether or not the reputation is deserved. (Compare attacks by pit bulls with attacks by Dobermans on the chart above.) This in turn means more pit bulls, Rottweilers, et al being surrendered to shelters, when their people cannot find rental accommodations or even buy a house because of their inability to obtain liability insurance.

The humane community does not try to encourage the adoption of pumas in the same manner that we encourage the adoption of felis catus, because even though a puma can also be box-trained and otherwise exhibits much the same indoor behavior, it is clearly understood that accidents with a puma are frequently fatal.

For the same reason, it is sheer foolishness to encourage people to regard pit bull terriers and Rottweilers as just dogs like any other, no matter how much they may behave like other dogs under ordinary circumstances.

Temperament is not the issue, nor is it even relevant. What is relevant is actuarial risk. If almost any other dog has a bad moment, someone may get bitten, but will not be maimed for life or killed, and the actuarial risk is accordingly reasonable. If a pit bull terrier or a Rottweiler has a bad moment, often

someone is maimed or killed--and that has now created off-the-chart actuarial risk, for which the dogs as well as their victims are paying the price.

Pit bulls and Rottweilers are accordingly dogs who not only must be handled with special precautions, but also must be regulated with special requirements appropriate to the risk they may pose to the public and other animals, if they are to be kept at all.

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